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Date: January 24, 2005

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Client Matter #: 026759.00005

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Ms. Gloria Henderson

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BOARD OF PATENT APPEALS & INTERFERENCES

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UNITED PATENT AND TRADEMARK OFFICE

703-872-9306

MESSAGE/INSTRUCTIONS

Re: Appeal No: 2004-1311

Appellant: GESSNER, Rick

Application No: 09/162,735

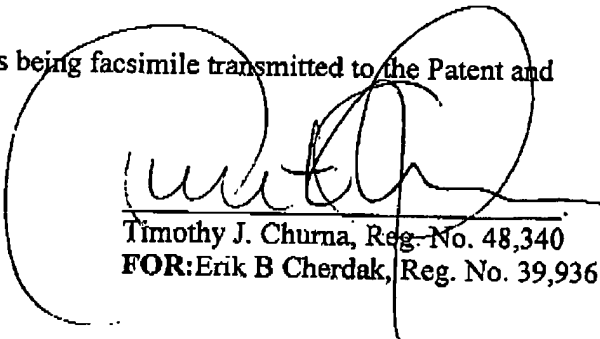
Dear Ms. Henderson:

In furtherance of our facsimile transmission of November 30, 2004, we wish to advise you that on January 24, 2005, we filed a Request for Continued Examination of the above-referenced patent application. Therefore, pursuant to 37 CFR 1.114(d), the above-referenced appeal number 2004-1311 is deemed **withdrawn**.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office:

on January 24, 2005


Timothy J. Churna, Reg. No. 48,340
FOR: Erik B Cherdak, Reg. No. 39,936

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Arent Fox P.C.

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